

In connection with section 27.

A party may waive his rights under section 27 and bring matters embraced thereunder up for review under this section. *Davis v. Gemmell*, 73 Md. 554; *Wilhelm v. Caylor*, 32 Md. 161; *Ware v. Richardson*, 3 Md. 555.

This section limits the right of review to those "previous orders" specified in section 27. *Tome v. Stump*, 89 Md. 271.

Application of this section.

If an appeal lies under section 26, this section has no application. See notes to section 26. *Gardiner v. Baltimore*, 96 Md. 382.

This section has no application to interlocutory orders passed by consent, and acted on. *Godwin v. Banks*, 89 Md. 686.

This section applied. *Emory v. Faith*, 113 Md. 256; *Bailey v. Jones*, 107 Md. 410; *Singluff v. Hubner*, 101 Md. 657; *Keifer v. Reichert*, 93 Md. 99; *Tayhern v. National Mechanics Bank*, 57 Md. 596; *Reiff v. Horst*, 55 Md. 45; *Meakin v. Duvall*, 43 Md. 378; *Barton v. Higgins*, 41 Md. 546; *Phelps v. Stewart*, 17 Md. 242; *Stem v. Cox*, 16 Md. 538.

Generally.

The words "all previous orders," are as comprehensive as "all previous orders and decrees." *Bull v. Pyle*, 41 Md. 422; *Frostburg v. Tiddy*, 63 Md. 519.

On appeal from an order revising a final audit, all previous orders and decrees are open for review. *Walsh v. Boyle*, 30 Md. 268.

A decree exonerating certain mortgaged lots from sale until the exhaustion of other mortgaged properties, is not open for revision under this section. *Gardiner v. Baltimore*, 96 Md. 382; *Hopper v. Smyser*, 90 Md. 379.

This section explained. *Wylie v. Johnston*, 29 Md. 303.

Cited but not construed in *Baltimore v. Weatherby*, 52 Md. 449; *Vickers v. Tracey*, 22 Md. 199.

1904, art. 5, sec. 29. 1888, art. 5, sec. 27. 1860, art. 5, sec. 23. 1830, ch. 185, sec. 1. 1845, ch. 367, sec. 1. 1853, ch. 374. 1890, ch. 32.

29. No appeal from any decree or order shall stay the execution or suspend the operation of such decree or order, unless the party praying the appeal shall give bond, with security, to indemnify the other party or parties from all loss or injury which said party or parties may sustain by reason of such appeal and the staying the execution or operation of such decree or order; such bond to be approved by the judge or clerk of the court where the proceedings are pending, and the penalty to be fixed by such court, and upon giving such bond the appeal shall stay the operation of all such decrees or orders; provided, however, that if in its discretion the court in which such proceedings are pending shall decide that the case is not a proper one for such stay, such court may pass an order upon such terms (as to duration, keeping an account, giving security, etc.) as to it may seem fit, directing that the decree or order appealed from shall not be stayed by such appeal, or only so far or on such terms as the court shall therein direct.

The giving of bond stays further proceedings pending the appeal. *Everett v. State*, 28 Md. 206.

In an injunction case, the giving of the bond stays the operation of the injunction. *Glenn v. Davis*, 35 Md. 220; *Gelston v. Sigmund*, 27 Md. 352; *Northern Central Ry Co. v. Canton Co.*, 24 Md. 506.

The stay of proceedings does not necessarily extend further than the operation of the order or decree appealed from. *Barnum v. Barnum*, 42 Md. 204.

The proceedings will not be stayed unless the bond is filed. *McNeice v. Eliason*, 78 Md. 179.